

Notice of Allowability

Application No.

10/080,919

Applicant(s)

GONZALEZ-VILLASENOR, LUCIA
IRENE

Examiner

Robert B Mondesi

Art Unit

1653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to September 22, 2004.
2. ☒ The allowed claim(s) is/are 1-16, 18-19 and 26-47.
3. ☒ The drawings filed on February 22, 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date November 3, 2004.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Saunders on November 1, 2004 and November 4, 2004

Please amend the specification as follows:

Cancel pages 60-67 of substitute specification filed September 22, 2004.

On page 45, line 14 : ~~CL-6B-Sepharose®~~ CL-6B SEPHAROSE® (4% cross-linked agarose)

On page 45, line 15 : ~~Sephaeryl®-100~~ SEPHACRYL-100® (dextran/ bisacrylamide matrix)

On page 50, line 6 : ~~Q-Sepharose®~~ Q-SEPHAROSE® (dextran cross-linked agarose)

On page 50, line 7-8 : ~~phenyl-Sepharose®~~ PHENYL SEPHAROSE® (phenyl- cross-linked agarose)

On page 50, line 9 : ~~Q-Sepharose®~~ Q-SEPHAROSE® (dextran cross-linked agarose)

On page 52, line 21 : ~~Q-Sepharose®~~ Q-SEPHAROSE® (dextran cross-linked agarose)

On page 52, line 22 : ~~Q-Sepharose®~~ Q-SEPHAROSE® (dextran cross-linked agarose)

Please amend the claims as follows:

Cancel claims 17 and 22-25.

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Claim 1 (amended) A method for solubilizing and recovering, in bioactive form, a target polypeptide from a host organism in which the target polypeptide is present in insoluble form, which comprises:

disrupting the host cell to produce a lysate;

recovering lysate precipitate containing the target polypeptide;

solubilizing the lysate precipitate in a denaturant free, non-buffered solubilization solution producing a solubilization preparation that comprises 1) a concentration of sodium hydroxide between about 8 and about 10 mM and 2) a concentration of polypeptide between about 1 and about 4mg polypeptide per ml of solubilization solution, wherein the resultant solubilization preparation has a pH of between about 9 and about 11.2.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B Mondesi whose telephone number is 571-272-0956. The examiner can normally be reached on 9am-5pm, Monday-Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jon Weber can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert B. Mondesi

Robert B. Mondesi
11-08-06


ROBERT A. WAX
PRIMARY EXAMINER
Art Unit 1653